

November 30, 2022

The Honorable Lee G. Dunst
United States District Court
100 Federal Plaza
Central Islip, NY 11722

Re: *LoGerfo v. Nassau County*, 17-CV-0010

Dear Judge Dunst:

My office represents Plaintiff in the above-referenced matter. The Parties in this matter had previously notified the Court that terms of settlement had been reached. On November 28, 2022, Counsel for Defendants notified Plaintiff's Counsel that Defendants would no longer agree to the terms of settlement. Plaintiff requests a court conference to discuss this matter, and avoid further prejudice to the Plaintiff.

On November 22, 2021, and again on August, 2, 2022, Plaintiff provided Defendants a settlement demand letter via email to Defendants' counsel. On September 9, 2022, Counsel for both parties spoke via telephone and came to a verbal settlement agreement. The agreement included a financial payment of attorneys' fees as well as injunctive relief. The Parties memorialized this agreement and its specific terms via email shortly after the telephone call.

The Parties notified the Court of the settlement via ECF on September 9, 2022. (Dkt. 86). This notice resulted in the pre-trial conference previously scheduled for September 22, 2022, being adjourned to November 17, 2022. On November 10, 2022, the Parties provided a joint status update to the Court which stated that "specific details of the agreed to terms" were being finalized, including details regarding the agreed to term that Nassau County create public service announcements to inform the public of the County's Text-to-911 system when it goes live. (Dkt. 87). This status update resulted in the pre-trial conference previously scheduled for November 17, 2022, being adjourned to January 9, 2022. On November 28, 2022, Counsel for Defendants informed Plaintiff's counsel that Defendants will no longer agree to essential terms to reach an agreement, including the public service announcements previously disclosed to this Court.

Plaintiff respectfully requests a conference at your Honor's earliest convenience to discuss the status of this matter. Further delay caused by Defendants' bad faith negotiations will result in undue prejudice to the Plaintiff. Plaintiff is available to provide further briefing on this



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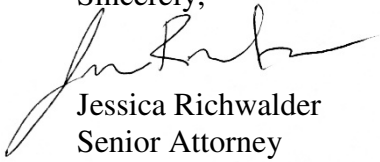
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matter upon your Honor's request.

Sincerely,



Jessica Richwalder
Senior Attorney

CC: All Counsel via ECF



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